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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88234

Fumiaki ITO, et al.

Appln. No.: 10/537,495

Group Art Unit: 1614

Confirmation No.: 8371

Examiner: Not Yet Assigned

Filed: June 03, 2005

For: PREVENTIVE OR REMEDY FOR DISEASES CAUSED BY HYPERGLYCEMIA

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/537,495

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The foreign patent documents should correlate with some of the already filed "WO" documents as follows:

WO04/014932 & CA2494179

WO02/064606 & EP1367060 A1

WO02/044192 & EP1344780 A1

WO02/068439 & EP1364957 A1

WO02/053573 & EP1354888 A1

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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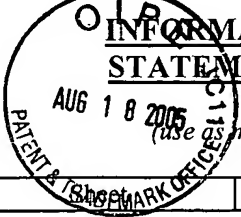
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 18, 2005

Substitute for Form 1449 A & B/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/537,495
		Confirmation Number	8371
		Filing Date	June 03, 2005
		First Named Inventor	Fumiaki ITO
		Art Unit	1614
		Examiner Name	Not Yet Assigned
1 of 1		Attorney Docket Number	Q88234

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US			
		US			
		US			
		US			
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		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		CA	2494179		02-19-2004	Kissei Pharmaceutical Co., Ltd.	English
		EP	1367060	A1	12-03-2003	Kissei Pharmaceutical Co., Ltd.	English
		EP	1344780	A1	09-17-2003	Kissei Pharmaceutical Co., Ltd.	English
		EP	1364957	A1	11-26-2003	Kissei Pharmaceutical Co., Ltd.	English
		EP	1354888	A1	10-22-2003	Kissei Pharmaceutical Co., Ltd.	English

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Y. FUJITA, ET AL. Increased intestinal glucose absorption and postprandial hyperglycaemia at the early step of glucose intolerance in Otsuka Long-Evans Tokushima Fatty Rats; Diabetologia (1998) 41:1459-1466	
		BERND SCHROPPEL, ET AL. Expression of glucose transporters in human peritoneal mesothelial cells; Kidney International, Vol 53 (1998), pp. 1278-1287	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.